

"Paul Jones," Niles' Weekly Register

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shall without any further order, be, and the same hereby are declared from thenceforth, to be wholly and absolutely revoked; and further, that the full benefit of this order shall be extended to any ship or vessel captured subsequent to such authentic act of repeal of the French decrees although antecedent to such repeal, such ship or vessel shall have commenced, and shall be in the prosecution of a voyage, which, under the said orders in council, or one of them, would have subjected her to capture and condemnation; and the claimant of any ship or cargo which shall be captured at any time subsequent to such authentic act of repeal by the French government, shall, without any further order or declaration on the part of his majesty's government on this subject, be at liberty to give in evidence in the high court of admiralty or any other court of vice-admiralty, before which such ship or vessel, or its cargo, shall be brought for adjudication, that such repeal by the French government had been by such authentic act promulgated prior to such capture; and upon proof thereof, the voyage shall be deemed and taken to have been as lawful, as if the said orders in council had never been made; saving nevertheless to the captors, such protection and indemnity as they may be equitably entitled to, in the judgment of the said court, by reason of their ignorance or uncertainty as to the repeal of the French decrees, or of the repeal by his majesty's government, at the time of such capture.

"His royal highness however deems it proper to declare, that should the repeal of the French decrees, thus anticipated and provided for, afterwards prove to have been illusory on the part of the enemy, and should the restrictions thereof be still practically enforced, or revived by the enemy, Great Britain will be obliged, however reluctantly, after reasonable notice to neutral powers, to have recourse to such measures of retaliation as may then appear to be just and necessary."

"Westminster, April 21, 1812."

Paul Jones.

As the time is coming when such men as *Paul Jones* was, will come into *fashion*, the present is a proper season to make his character and conduct better known to our readers. The following interesting narrative is translated from a French manuscript, written by himself.

While we condemn the author for his egotisms, we must make great allowances, on that account, for the splendid success that attended his enterprises, and estimate his vanity by the reasons he had to be vain. Few even, perhaps, circumstanced as *Paul Jones* was, would have praised themselves less than he has done in this sketch; which possesses the singular merit of being substantially correct in all its parts, so far as we are informed of the matter.

"At the commencement of the American war (during the year 1775) I was employed to fit out the little squadron, which the congress had placed under commodore Hopkins, who was appointed to the command of all the armed vessels appertaining to America; and I hoisted with my own hands the American flag, on board the *Alfred*, which was then displayed for the first time.

I at the same time, acquainted Mr. Hewes, a member of congress, and my particular friend, with a project for seizing on the island of St. Helena, by means of our little squadron, which would have infallibly rendered us masters of part of the homeward-bound East India fleet; and as the congress, at that time, proposed to appropriate two-thirds of the prizes to itself, they would have thus been furnished with the means of carrying on the war during several years: but an event of a more pressing nature prevented this scheme from being carried into execution.

The cruelties and vexations at that time exercised by Dunmore, in Virginia, determined the congress to detach the squadron against him; but Mr. Hopkins displayed neither zeal nor talents upon this occasion, and lost so much time that his squadron was frozen in the Delaware.

After a delay of two months, the squadron was at length disengaged, and set sail for New Providence, the principal of the Bahama islands. There we found a large quantity of artillery, mortars, and other implements of warfare, of which we stood greatly in want in America; and I had the good

fortune to render myself extremely useful to the commodore, who was but little acquainted with military operations. It was to me he was indebted for the plan adopted by him when the squadron came in sight of New Providence, and I also undertook to moor the squadron in a proper birth to execute our enterprize.

On our return from New Providence, we took two armed vessels one of which was loaded with bombs, and fell in, near Rhode-Island, with an English man of war, called the *Glasgow*, carrying twenty-four guns; but notwithstanding our superiority, both in point of force and sailing, the commander in chief suffered her to escape, after having many men killed and wounded, both on board the *Alfred* and the *Cabot*.

The squadron now entered the port of New London, in Connecticut; and Hopkins, on receiving intelligence that the English frigates had been driven from Newport, took advantage of the darkness of the nights to repair to Rhode Island.

A council of war having dismissed the captain of the Providence, one of the ships of the squadron, the commodore gave me orders in writing to take the command of her, and to escort some troops that were proceeding from Rhode Island to New-York, with a view of serving under general Washington. After this, I received instructions to escort a convoy of artillery from Rhode Island to New-York, for the defence of which it was destined. On this occasion, I had two different engagements with the *Cerberus* frigate; the first for the protection of the vessels under my command, and the second for the preservation of a vessel from St. Domingo, laden with naval stores, for the congress. In the course of my service between Boston and New-York, I had also many actions with ships of war under the command of lord Howe; but on these as on former occasions, I was enabled to preserve my convoy, and I at length arrived safe in the Delaware, August 1, 1776.

On the 8th of the same month the president of the congress presented me in person, with the commission of captain in the marine in the United States; this was the first granted by congress since the declaration of independence, which took place on the 4th of July of that same year.

Orders had been given for the construction of thirteen frigates: but, as none of them was yet ready, I proceeded to sea alone, on board the Providence, which was a vessel of but small force, as she carried no more than seventy men, and twelve small cannon. When in the neighborhood of Bermudas, we fell in with the *Solebay*, and her convoy, from Charleston; she was a thirty two gun frigate, and formed part of the squadron under admiral Parker. I was of course desirous of avoiding an engagement with such superior force: but, as my officers and men insisted that it was the Jamaica fleet, as it was necessary to command by means of persuasion at this epoch of the war, the result was a serious engagement during six hours, which, towards the close, was carried on with pistol shot. A desperate manœuvre was the sole resource left me; I attempted this, it succeeded, and I was fortunate enough to disengage myself.

A short time after this, I took several prizes, and then sailed towards the coast of Nova Scotia, on purpose to destroy the whale and cod fisheries in that neighborhood. When near Sable Island, we fell in with the *Milford* frigate, carrying thirty-two guns, with which it was impossible to avoid an engagement. A cannonade accordingly took place, from ten o'clock in the morning until sunset; but

the engagement was neither so close nor so hot as that with the Solebay, and I at length escaped by passing through the flats, and entered a little harbor next day, where I destroyed the fishery and vessels.

After this, I set sail for *Ile Madame*, where I made two descents, at the same time destroying the fisheries, and burning all the vessels I could not carry away with me. Having accomplished this, I returned to Rhode Island, after an absence of six weeks and five days from the Delaware; during this interval I had taken sixteen prizes, without including those destroyed.

The commander in chief, who had remained all this time in harbor, now adopted a plan proposed by me, and which consisted.

1. In the destruction of the enemy's fisheries at *Ile Royale*; and.

2. Of restoring to liberty more than 300 American prisoners detained there in the coal mines.—Three vessels were destined for this service, the *Alfred*, the *Hampden*, and the *Providence*, but the *Hampden* having received considerable damage in consequence of running on a rock, could not accompany me. I, however, embarked on board the *Alfred*, and, taking the *Providence* by way of consort, I set sail, and on the 2d of November, 1776, made prize of a vessel from Liverpool, and soon after the *Mellish*, a large armed vessel, having two British naval officers on board, and a captain belonging to the land service, with a company of soldiers. This ship was carrying ten thousand complete sets of uniform to Canada, for the army posted there under the orders of generals Carleton and Burgoyne.

The *Providence* having now left the *Alfred* during the night without the least pretext whatever, I remained alone, and that too during the stormy season, on the enemy's coast; but notwithstanding this, and that I was also greatly embarrassed with my prisoners, I resolved not to renounce my project. I accordingly effected a descent, destroyed a transport of great value, and also burned the magazines and buildings destined for the whale and cod fishery.

In addition to this, I took three transports and a vessel laden with ling and furs, near *Ile Royale*; these prizes were escorted by the *Flora* frigate, which happened to be at a small distance, but which was concealed from us by a fog. Having taken a privateer from Liverpool, mounting 16 guns, in the course of next day, I instantly returned with my prizes, towards the United States; but, when in the latitude of Boston, fell in with the *Milford* frigate, which I unwillingly engaged. Towards night, however, I placed the *Alfred* between the enemy and my prizes, and having given the necessary instructions to the latter, to make for the nearest port, I changed my course, set up lights, and by this stratagem saved the vessels I had captured, as the frigate continued in chase of me. Next day I myself was fortunate enough to escape, after a very serious action, which was not terminated until dark, and even then in consequence of a hard gale of wind.

Having returned to Boston, December 10, 1776, the intelligence of the uniforms taken on board the *Mellish*, re-animated the courage of the army under general Washington, which at that period happened to be almost destitute of clothing. Let me add also, that this unexpected succour contributed not a little to the success of the affair at Trenton against the Hessians, which took place immediately after my arrival.

I now paid out of my own purse the wages due to the crews of the *Alfred* and the *Providence*, and sent the rest of my money to the congress. That

assembly transmitted me orders from Philadelphia, on the 5th of February, to undertake a secret expedition of great importance, the design of which was, to lay the island of St. Christopher, and the north side of Jamaica, under contribution; after which we were to attack Pensacola. This project was first conceived by me, and then communicated to Mr. Morris, afterwards minister of finance: but such was the jealousy of Hopkins, the commander in chief, that it was never carried into execution. He was, however, soon after suspended, and then dismissed from the service.

The season being now too far advanced for the execution of the scheme in the West Indies, myself and crew received orders to remove on board the *Amphytrite*, a French vessel, destined to sail from Portsmouth, New-Hampshire, to France, whence we were to pass into Holland, and take possession of the *Indienne*, a large frigate, constructing there for the congress; some difficulties however ensued, and I was ordered to prepare the *Ranger*, a vessel mounting eighteen guns.

When general Burgoyne and his army were obliged to surrender at Saratoga, it was I who was the first obliged to carry this interesting intelligence to Nantes, whither I arrived on the 2d of December, 1777. In the course of my voyage, I took two prizes, forming a part of a convoy from the Mediterranean, under the protection of the *Invincible*, a seventy-four-gun ship, under the guns of which one of them was taken.

(TO BE CONTINUED.)

Literary Intelligence.

Mr. Edward J. Coale, bookseller, of this city, has lately published a most ingenious and useful work entitled "*MNEMONIKA, or chronological tablets; exhibiting, in a methodical manner, the most remarkable occurrences from the creation of the world to the present period, &c.*" The immense labor and astonishing research bestowed upon the compilation of this volume, give it a claim to the attention of all who desire to receive information upon subjects of general interest, which few other books of the same size can boast. Nor is it calculated solely to instruct the ignorant; the judicious arrangement of its various matter, and the neat compactness of its form, will render it a valuable, as well as a convenient *vade mecum*, for every class of readers.

To have published a work of this description, entirely free from error, would have been to have done what has never yet been, and, we apprehend, never will be accomplished. It is not, therefore, extraordinary, nor do we mention it as an objection to the general utility of the book, that occasional inaccuracies are to be discovered in some of the vast variety of subjects which it embraces. Prejudices and partialities are human frailties which can never be wholly overcome; hence it is not to be expected that all men should agree in the relation of an important event, or in the account of remarkable occurrences. The occasions, however, which occur in the work before us, to call forth these observations, are perhaps fewer than in most other compilations; and every man who has at heart the dissemination of useful knowledge, will be pleased at the opportunity which the publisher has here offered of accomplishing that desirable object, by placing his book so completely within the reach of the pecuniary capacity of the people at large.

It is a neat *duodecimo* volume of 348 closely printed

it for the nominal privilege of a licensed trade with France that you would abandon your lucrative commerce with Great Britain, Spain and Portugal, and their Asiatic, African and American dependencies—in a word, with every region of those vast continents. That commerce which gives vent to your tobacco, grain, flour, cotton, in short, to all your native products, which are denied a market in France?

There are not wanting men so weak, as to suppose that their approbation of warlike measures is a proof of personal gallantry, and that opposition to them indicates a want of that spirit which becomes a friend to his country; as if it required more courage and patriotism to join in the acclamation of the day, than steadily to oppose one's self to the mad infatuation to which every people and all governments have, at some time or other, given way. Let the history of Phocion, of Agis and of the De Witts answer this question. My friends, do you expect to find those who are *now* loudest in the clamor for war, foremost in the ranks of battle? or is the honor of this nation indissolubly connected with the political reputation of a few individuals who tell you they have gone too far to recede, and that you must pay, with *your ruin*, the price of *their consistency*? My friends, I have discharged my duty towards you—lamely and inadequate I know, but to the best of my poor ability. The destiny of the American people is in their own hands. The net is spread for their destruction. You are enveloped in the toils of French duplicity; and if, which may Heaven in its mercy forbid, you and your posterity are to become hewers of wood and drawers of water, to the modern Pharaoh, it shall not be for the want of my best exertions to rescue you from the cruel and abject bondage. This sin, at least, shall not rest upon my soul.

JOHN RANDOLPH, of Roanoke.

May 30th, 1812.

[A sketch of Mr. Randolph's speech appears to follow this article—we have not yet received it. If it comes to hand in season it shall appear in our next—for it doubtless deserves a place among the curiosities of the times.—ED. REG.]

Paul Jones.

(Continued from page 231.)

In the month of January 1778, I repaired to Paris, to make the necessary arrangements with the American ministers, relative to the equipment of the *Indienne*; but, as the recent intelligence relative to the capture of Burgoyne had determined the court of France to recognize the independence of America by means of a treaty of alliance, and as the English ambassador at the Hague, in consequence of obtaining possession of the papers of an American agent, found that the *Indienne* was the property of congress, I acquiesced in the opinion of the American ministers; and it was determined to cede the property to his most christian majesty, this being the most likely method of preserving the property.

I then returned on board the *Ranger*, and as I had received information from America, relative to the force and stations of the English fleet in that quarter, I immediately transmitted a letter to Mr. Deane, one of the American ministers at Paris, communicating a plan of an expedition with a squadron of ten sail of the line, a few frigates, and a small body of land forces, with a view of completely destroying the enemy's naval power acting against the

United States. This scheme was not adopted until it was too late, and then it of course became impracticable.

In the mean time I took several American vessels under my convoy, from Nantes, to the bay of Quiberon, where M. la Motte Piquet was lying at anchor, with six sail of the line, a few frigates, and several merchantmen, which he was to take under his protection to the westward of cape Finisterre. M. de la Fayette was on board this fleet, which was provided with clothing, ammunition, and military stores for America.

I reached the bay, February 13, 1778, and sent to demand of the admiral, *if he would return my salute*; and this compliment was immediately agreed to by that brave officer, although neither he nor I knew at that period, that a treaty of alliance had been signed between France and America seven days before. This was the first salute received by the American flag from any power, and occasioned much dispute in the English parliament.

I now set sail from the bay of Quiberon to Brest, but did not enter the road, on the contrary, I anchored at Cammeret, where I was detained by contrary winds until the French ambassador at the court of St. James', had announced the treaty lately concluded between his most christian majesty and the United States.

On this, I immediately sailed into Brest water, and saluted the count D'Orvilliers, who returned the salute, and received me with all the honors due to an admiral, on board his flag ship *La Bretagne*.

In the month of February, 1776, the parliament of England had authorised George III. to treat all the Americans taken at sea, with arms in their hands, as traitors, pirates, and felons: this more than any other circumstances, rendered me the declared enemy of Great Britain. From the very commencement of the war, an exchange of prisoners had taken place between general Washington and the commanders of the enemy's army; notwithstanding the haughty conduct of Great Britain, she was obliged to submit to this arrangement, and consider the American soldiers as prisoners of war. It was, however, an atrocious crime to act against her by sea; and England, on this occasion, perpetuated a new all the cruelties on America which she had lavished on Scotland in 1745. A ferocious and vindictive people would have rejoiced to have seen the American sailors cut down from the gibbet while yet alive, their breast opened with a knife, and their yet palpitating hearts thrown into the flames! If they did not dare to attempt this, they, however, shut up a number of citizens of the United States in the English prisons during five whole years, where they suffered all the horrors proceeding from cold, hunger, and every sort of mal treatment. Some of these unfortunates were sold on the coast of Africa, while others, were transported to the West-Indies. The firmness with which these martyrs of liberty supported their hard lot, is wholly unexampled; for they preferred every kind of prosecution to serving on board the English navy.

Indignant at the barbarous treatment experienced by the Americans. I determined to make a grand effort in their behalf, with a view of stopping the barbarous proceedings of the English in Europe, as well as on the western continent, in the latter of which they set fire to their houses, destroyed their property, and burned and destroyed whole towns. I accordingly determined, by way of retaliation, to effect a descent upon some part of England, with a view of destroying the shipping. It was also my

intention to make some person of distinction prisoner, whom I resolved to detain as a hostage for the security of, and in order to exchange with, the American prisoners in England.

Admiral D'Orvilliers, to whom I communicated this project, offered to procure for me a captain's commission in the French marine, that, in case I met with any disaster, I might claim the protection of his most christian majesty; but however advantageous this was, I determined to decline the acceptance; because, in the first place, I was not authorized by congress to change my flag; and, in the second, such a conduct might have rendered my attachment to America suspected.

I accordingly sailed from Brest, and advanced towards Ireland, neglecting the capture of a number of vessels within my reach, as I did not wish to diminish the strength of my crew. Near to the entrance into Carrickfergus, I however, seized on a fishing-boat, manned with six persons, who proved to be pilots. The Drake, a twenty-gun ship, happened to be then in the road, and even within sight, I imagined it possible to obtain possession of her by surprise during the night. With this view, I immediately gave orders for making the necessary preparations; but the mate, who had drank too much brandy, did not let go the anchor according to orders, which prevented the Ranger from running foul of the Drake, according to my intentions. As I had reason to believe, that my appearance had not hitherto given any alarm, I deemed it prudent to cut my cable, and return into St. George's channel. I remained there, buffeted about by the winds, during three days, until the weather having become more favorable, I determined a second time to attempt a descent; this project, however, greatly alarmed my lieutenants; they were poor, they said, and their object was gain, not honor; they accordingly excited disobedience among the ship's company, by persuading them that they had a right to determine, whether the measures adopted by me were well concerted or not.

I happened to be at this period within sight of Whitehaven, in Cumberland, at the mouth of the Solway Frith. This is a considerable harbor, in which there then were about 400 sail, some of them vessels of 250 tons burthen; and I had determined to take advantage of the ebb tide, when the shipping was dry, to destroy them. To effect this, it was necessary to land about midnight, with a party of determined men, and seize on a fort and battery, which defended the port. My two lieutenants, being averse to the enterprise, and yet being unwilling to discover their true motives, feigned illness. On this I determined to take the command in person, and with much difficulty prevailed on thirty volunteers to follow me.

With this handful of men, and two small boats, I quitted the Ranger, at eleven o'clock at night and rowed towards the harbor; but it being farther off than we imagined, and the tide against us, day broke before we had effected a landing.

I now sent the smallest of the boats towards the northern side of the harbor to set fire to the vessels, while I myself advanced with the other to the south, to take possession of the fort and battery, the first of which was taken by assault, I myself being the first to enter it through one of the embrasures. We then nailed up the thirty-six cannon mounted on the batteries, and advanced towards the south, with a view of burning all the vessels, when, to my infinite astonishment, I beheld the other boat returning, without having done any thing.

On this, I deemed it best to unite my forces, with a view of effecting, at least, some part of our enterprise. In short we set fire to some of the vessels, and it soon burned with great fierceness, and began to communicate; but as it was now eight o'clock in the morning, and the inhabitants began to approach near us in crowds, I could no longer defer my retreat which was made in good order. On my return on board the Ranger, the wind being favorable, I set sail for the coast of Scotland. It was my intention to take the earl of Selkirk prisoner, and detain his lordship as a hostage, in conformity to the project already mentioned. It was with this view about noon of the same day I landed on that nobleman's estate, with two officers and a few men. In the course of my progress, I fell in with some of the inhabitants, who, taking me for an Englishman, observed, that lord Selkirk was then in London, but that her ladyship and several ladies were at the castle.

On this, I determined to return: but such moderate conduct was not conformable to the wishes of my people, who were disposed to pillage, burn, and destroy every thing, in imitation of the conduct of the English towards the Americans. Although I was not disposed to copy such horrid proceedings, more especially when a lady was in question, it was yet necessary to recur to such means as should satisfy their cupidity, and, at the same time, provide for lady Selkirk's safety. It immediately appeared to me, to be the most proper mode to give orders to the two officers to repair to the castle with the men, who were to remain on the outside under arms, while they themselves entered alone. They were then instructed to enter, and demand the family plate, in a polite manner, accepting whatever was offered them, and then to return, without making any further inquiries, or attempting to search for more.

I was punctually obeyed; the plate was delivered; lady Selkirk herself observed to the officers, that she was exceedingly sensible of my moderation; she even intimated a wish to repair to the shore although a mile distance from her residence, in order to invite me to dinner; but the officers would not allow her ladyship to take so much trouble.

Next day, April 4, 1778, I prepared to return to Carrickfergus, to attack the Drake in open day; but the lieutenants were averse to the project, and the crew of the Ranger became so mutinous, that I ran no small risk of being either killed or thrown into the sea; and but two days before, I was on the point of being abandoned, and left ashore at Whitehaven.

In the mean time, the captain of the Drake sloop of war, having been informed of our descent at Whitehaven, prepared to attack us; and, while every thing was getting ready, he despatched an officer on board of his boat, with a spy glass, in order to reconnoitre the Ranger. On this, I immediately masked my guns, kept my men out of sight, and disguised the vessel in such a manner as to resemble a merchantman; in consequence of this the crew of the boat were deceived and taken. This trifling success produced the effect of enchantment on my sailors, who were no longer averse from giving her battle.

The Drake, having fired some cannon to recal her boat, hoisted her anchor, and came out attended by a number of yachts and pleasure-boats, with ladies and gentlemen on board: but when the engagement became serious, they thought proper to withdraw to a respectful distance.

No sooner did the enemy make his appearance, than *I lay to*, determined not to engage until she came within pistol shot. The engagement was accordingly sustained with great vivacity on both sides, during an hour and five minutes, when, the captain and lieutenant being both mortally wounded, the English flag was lowered, and I took possession of her. I regretted greatly the death of these brave men, and committed them to the ocean with all the honors due to their valor. I at the same time, dismissed the six fishermen, whom I have before mentioned, whose loss I repaired, and whose services I recompensed out of my own purse.

The Drake was greatly damaged in her masts and tackling, and lost forty men either killed or wounded during the action. I had also taken several other prizes; but, as my compliment of men had only amounted to 123, I retained no more than two of them, which arrived in safety at Brest, where I myself anchored with the Ranger and Drake, on the 7th of May, after an absence of twenty eight days, during which I had taken upwards of 200 prisoners. This expedition was of great disservice to Great Britain, as she was not only obliged to fortify her ports but also to permit the arming of the Irish volunteers, as lord Mountmorris demonstrated in a speech in parliament.

At the time I had been obliged to permit my people to take lady Selkirk's plate, I determined to redeem it out of my own funds the moment it should be sold, and restore it to the family. Accordingly on my arrival at Brest, I instantly dispatched a most pathetic letter to her ladyship, in which I detailed the motives of my expedition, and the cruel necessity I was under, in consequence of the conduct of the English in America, to inflict the punishment of retaliation. This was sent open to the post-master-general, that it might be shewn to the king of England and his ministers, and the court of St. James was at length obliged to renounce the sanguinary act of its parliament, and exchange those very Americans whom they called traitors, pirates and felons, against the prisoners of war, whom I had taken and carried to France.

During the course of the war, I found it impossible to restore the plate belonging to the Selkirk family; I however, purchased it at a great price, and at length found means to send it by land from l'Orient to Calais, by means of M. de Calonne, who transmitted me a very flattering letter on the occasion; in short I at length received a very flattering letter from the earl of Selkirk, acknowledging the receipt of it.

(TO BE CONTINUED.)

Twelfth Congress.

HOUSE OF REPRESENTATIVES.

Monday, June 8.—Mr Cutts, from Massachusetts, appeared (for the first time this session) was qualified and took his seat,

[After some minor business,]

Mr. Gholson reported a bill concerning invalid pensioners. Twice read and committed.

On motion of Mr. Obadiah Hall, the petition of Benjamin Conner (respecting portable bridges) was taken from the select committee to which it had been referred, and transmitted to the secretary of war.

Mr. D. R. Williams offered a resolution to amend the standing joint rules of proceeding, so as that during the transaction of legislative proceedings the members of one house should be admitted in

the other, although the subject of their deliberations should be of a secret nature, subject to the injunction of secrecy imposed by the two houses respectively.

The resolution lies one day for consideration, as the rules require.

Mr. Johnson offered the following resolution for consideration:

Resolved, That the committee on military affairs be instructed to enquire into the expediency of authorizing the president of the United States to organize additional companies of rangers; and that they have leave to report by bill or otherwise.

Mr. J. said he would not detain the house with that detailed information which he had received as to the extent of the calamity which had fallen upon the people on the frontier settlements and which would be more disastrous, if not arrested by greater force. He would only refer gentlemen to the public prints for that general information which would justify his motion, and which would give some idea of the extent of danger to be apprehended by the number of the murders, and the wide range in which they were committed, branching from the Wabash in the west, to the north and to the south. He also stated that, such was the patriotism of the people in the western country, that 2 or 300 volunteers, men of the first respectability and character from Kentucky, had embodied themselves and had marched to the Indiana territory to relieve the people in their great danger, and that these volunteers had gone at their own suggestion, without reward, or the wish or prospect of compensation.

The resolution was agreed to.

The resolution requesting the assent of the state of Georgia to the erection of two states in the Mississippi territory, was taken up and ordered to be engrossed for a third reading.

The bill for the relief of colonel Jonathan Williams; the bill for the relief of Clement B. Penrose—the bill concerning claims to land in the Mississippi territory, founded on warrants of survey granted by the Spanish government—and the bill for the relief of lieutenant colonel William D. Beall, were severally read a third time and passed.

Mr. Pearson rose to make a motion. He said it was an opinion prevalent with many persons in this house and out of it, and the laws passed at the present session of congress for putting the nation in a posture of defence, by no means rendered such an event improbable, that congress might, at no distant day, direct an application of the force thus raised, and the nation be involved in serious conflict with a foreign power. A question, therefore, naturally arose, Mr. P. said, what progress had been made in carrying into effect the laws which had been passed. No questions were more commonly asked, and there were none which he was more unable to answer, than these: What is the state of our military preparations? How many men are enlisted? How many volunteers have offered their services? And what is the state of our fortifications? Therefore, for the purpose of obtaining this information, for himself and others, Mr. P. said he would offer the following resolution, barely observing that if there should be an objection to making the result of this enquiry public, it might be communicated to the house confidentially:

Resolved, That the secretary of war be directed to lay before the house a statement of the number of troops which have enlisted in the service of the United States, under the authority of laws passed during the present session of congress, designating

Roads in Spain.

The following table represents the number of leagues between all the capital towns of the provinces or kingdoms, and the metropolis or court of Spain, Madrid. If it is desired to know the distance between Badajos and Madrid, the angle of the column under the former, and immediately opposite the latter, gives 63 leagues, or 252 English miles; if from Badajos to Saragossa, we find 113 leagues, or 452 English miles; and so with all the others.

Badajoz																
165	Barcelona															
95	100	Burgos														
60	177	154	Cadiz													
47	131	118	39	Cordova												
67	132	122	52	20	Granada											
61	120	108	61	14	14	Jaen										
83	134	32	135	98	110	96	Leon									
63	102	51	102	64	68	44	55	Madrid								
97	88	112	98	50	50	38	114	59	Murcia							
110	158	56	161	124	136	122	26	82	139	Oviedo						
123	67	38	160	124	120	112	60	60	102	86	Pamplona					
120	176	89	181	140	160	140	58	106	159	56	123	Santiago				
37	150	140	23	22	35	32	112	88	68	138	148	156	Seville			
51	114	66	88	50	54	41	68	12	53	92	72	112	76	Toledo		
110	55	86	120	74	73	64	107	51	32	133	72	157	99	59	Valencia	
113	52	52	134	100	105	92	85	50	80	111	27	125	125	62	43	Saragossa

N. B. The distances in this table are taken on the carriage roads, and not the bridle roads, which are shorter, more mountainous, and generally impassable to any thing but asses, mules, sheep, or black cattle.

Paul Jones.

(Continued from page 251.)

I had no sooner arrived at Brest, than admiral the count D'Orvilliers transmitted an account of my expedition to the minister of the marine, in consequence of which it was intimated to Dr. Franklin, that his majesty was desirous that I should repair to Versailles, as he was resolved to employ me on a secret expedition, for which purpose he would give me the *Indienne*, with some other frigates, with troops, &c. for the purpose of effecting a descent. I was instantly informed of this by the ambassador, who observed to me, at the same time, that this must be considered as a profound secret, it being of so important a nature, that it had been deemed proper to withhold a communication of it even to his colleagues.

M. de Sartine received me with the most distinguished politeness, making me, at the same time, the most flattering promises; and the prince de Nassau was sent into Holland to give instructions for the necessary arrangements for arming and equipping the frigate intended for me. But, in a short time after this, hostilities took place between France and England in consequence of the action with *La Belle Poule*. This not a little embarrassed the mi-

nister of the marine, and the difficulty was not diminished by the intelligence brought by the prince, who asserted that the Dutch would not permit the *Indienne* to be equipped.

As M. de Sartine had written the three American ministers, and obtained their consent for my remaining in Europe, I offered to serve on board of the grand fleet; I also communicated several plans for crippling the power of England, such as that of destroying her trade and settlements on the coast of Africa, and in Hudson's bay; of annihilating their fisheries in Newfoundland; intercepting their East and West India and, above all, the Baltic, fleet, which was escorted by a single frigate, as I learned by certain information from England. The minister adopted the last of these plans and I accordingly repaired to Brest, to take the command of one of the frigates of that port, with two others, and a cutter, &c. then at St. Maloes; but I found on my arrival, that the admiral had appointed a French officer to the vessel in question, and as there was not a single moment to be lost, the senior officer of the frigates at St. Maloes was dispatched against the Baltic fleet, which he missed, by not steering sufficiently near to the coast of England to intercept it.

Being greatly disgusted with a series of delays, that ensued during nine months, I at length repaired to Versailles, with an intention of returning to

America, if I should not immediately obtain a command; for I recollected the saying of Old Richard, "if you wish that your affairs should be prosperous, superintend them in person," &c. This induced me to promise, that if the minister should at length comply with my request, I should call my own ship "Old Richard."

Accordingly, on obtaining *Le Duras*, until a better vessel could be procured, I called her— She was a very small and very old and infirm vessel, that had made four voyages to the East Indies. As proper guns could not be procured at L'Orient, where the—day, I repaired, first to Bordeaux, and then to Angouleme, where I made a contract for such as I wanted. On my return, I found that the Marquis de la Fayette, who had returned from America, was desirous to join me in the expedition, it being intended that he should command a body of land forces, he having obtained the king's command for that purpose.

While the necessary arrangements were making at court, a naval commissary purchased at Nantes a merchantman, called *La Pallas*, of thirty-two eight-pounders, and a brig, named *La Vengeance*, of twelve three-pounders; but neither of them was calculated for war: to these was added *Le Cerf*, a very fine cutter belonging to the royal navy, carrying eighteen nine-pounders; with the *Alliance*, a new frigate, belonging to the United States: but, as the guns had not as yet arrived from Angouleme, *The Good Man Richard* was armed from an old battery of twelve-pounders; and, as the expedition was intended against the enemy's ports, I mounted six old eighteen-pounders in the gun room, so that she might, in some measure, be called a forty gun ship. As it was found impossible to procure a sufficient number of American sailors, I determined to supply the deficiency by enrolling English ones, who happened to be prisoners of war in France; and in addition to these a certain number of peasants was levied, so that we may be said to have had as bad a crew as was ever shipped on board any vessel. I was given to understand, however, that the *chosen body of troops*, under the command of the Marquis de la Fayette, would serve as a guarantee for their good conduct; but no sooner was the little squadron ready, than I received a letter from the Marquis, intimating that the object of the expedition having been divulged at Paris, the king had issued orders to prevent the embarkation of the troops, in consequence of which he had joined his regiment.

Thus the project, which was no less than that of putting Liverpool, the second town in England, under contribution, failed, in consequence of having been indiscreetly communicated to.*****

I ought also to remark, that according to the first arrangement, my little squadron was to have been joined by two fire-ships, and five hundred men of Walsh's Irish regiment, but the minister did not keep his word, for he neither procured for me the fire-ships, nor the soldiers, so that it became impossible for me to fulfil the plan I had concerted, although it was still more important than that of seizing on Liverpool.

I now received orders to escort a fleet of transports and merchantmen from L'Orient, destined for different ports, between that and Bordeaux; and after that I was to chase away the English cruizers from the bay of Biscay, and then to return for further orders.

After executing this commission, on my representing how necessary it was to make a diversion in favor of the count D'Orvilliers, then cruising in

the channel, with sixty-six ships of the line, I received a *carte blanche*, during six weeks, without any other restriction than that of repairing to the Texel, by the 1st of October. By this time, I received intimation from England, that eight East Indiamen were soon expected on the coast of Ireland, near to Limerick. This was an object of great attention; and as there were two privateers at port L'Orient ready for sea, *Le Monsieur* of forty guns, and *Le Granville* of fourteen, the captains of which offered to place themselves under my orders, I accepted the proposition. But the French commissary who superintended the naval department, acted with great impropriety on this, as well as on many former occasions.

The little squadron, at length, set sail from the road of Groays, on the fourteenth of August, 1779; but we had no sooner proceeded to the north of the mouth of the channel, than *Le Monsieur* and *Le Granville* abandoned me during the night, and *Le Cerf* soon after imitated their conduct. I was extremely anxious to cruize for a fortnight in the latitude of Limerick: but the captain of the *Alliance*, after objecting to this, also left me during the night; and as I had now with me only the *Pallas* and the *Vengeance*, I was obliged to renounce my original intentions.

I took two prizes on the coast of Ireland; and within sight of Scotland, came up and seized two privateers, of twenty-two guns each, which, with a brigantine, I sent to Bergen in Norway, according to the orders I had received from Dr. Franklin: these prizes however, were restored to the English by the king of Denmark.

When I entered the North-sea, I captured several vessels and learned by my prisoners, as well as by the newspapers, that the capital of Scotland and the port of Leith were left totally defenceless. I also understood at the same time that my information relative to the eight Indiamen was correct; they having entered Limerick three days after I had been obliged to leave the neighborhood of that port,

(TO BE CONTINUED.)

Twelfth Congress.

(OMITTED LAST WEEK.)

IN SENATE.—Monday, June 15.

Mr. Smith of New York, presented the following petition of sundry inhabitants, merchants, and others, of the city of New-York, praying that the embargo and non-importation laws might be continued as a substitute for war against Great Britain:

MEMORIAL.

To the honorable the senate and house of representatives of the United States of America in congress assembled, the memorial of the subscribers, merchants, and others, inhabitants of the city of New-York, respectfully sheweth:

That your memorialists feel, in common with the rest of their fellow-citizens, an anxious solicitude for the honor and interests of their country, and an equal determination to assert and maintain them.

That your memorialists believe that a continuation of the restrictive measures now in operation will produce all the benefits while it prevents the calamities of war. That when the British ministry become convinced that a trade with the United States cannot be renewed, but by the repeal of the orders in council, the distress of their merchants and manufacturers, and their inability to support their armies in Spain and Portugal, will probably compel them to that measure.

Your memorialists beg leave to remark, that such effects are even now visible; and it may be reasonably hoped, that a continuance of the embargo and non-importation laws a few months beyond the fourth day of July next, will effect a complete and bloodless triumph of our rights.

Your memorialists therefore respectfully solicit of your honorable body, the passage of a law continuing the embargo, and giving to the president of the United States power to discontinue the whole of the restrictive system on the rescinding of the British orders in council.

The conduct of France in burning our ships, in sequestering our property entering her ports, expecting protection in conse-

and being negociable, the plaintiff consolidated them in one suit—and on this suit the prisoner is at present in custody.

A question is now made, whether this demand of Shepherd's is to be considered as a debt contracted before or after the enlistment?

Technically speaking, the *cause of action* in this case accrued to Shepherd after the enlistment, and if the debt is to be assimilated to the cause of action, then no doubt can remain that this demand was contracted after enlistment, certainly before the enlistment. Shepherd was not a creditor—his right as endorser arose subsequently, and the very form of declaring by endorser against drawer alleges a promise or assumption (the basis of the action) by the defendant to the plaintiff after the notes were assigned or endorsed—hence, upon a strict application of legal principles, the relation of debtor and creditor did not exist between the parties until after enlistment.

In this case I am inclined to adopt these principles: by it, full effect is given to the act of congress, which ought to receive a favorable construction, as being made for the support and defence of the country—this too will prevent a volunteer creditor from interposing his claims between the government and its military force, and will prevent fraudulent or colorable purchase of debts, being made with a view either to harass the soldier or to diminish the national strength.

I am clearly of opinion, therefore, that the prisoner, under the particular circumstances of this case, comes within the operation of the act of congress, and must be discharged from imprisonment.

J. V. N. YATES,

Recorder of Albany.

April 30th, 1815.—The prisoner was accordingly discharged from prison and delivered over to his commanding officer.

Paul Jones.

(Continued from page 278.)

As there was only a twenty gun ship and two cutters in Leith Road I deemed it practicable to lay those two places under contribution. I had indeed no other force to execute this project, than the Richard, the Pallas, and the Vengeance; but I well knew, that, in order to perform a brilliant action, it is not always necessary to possess great means. I therefore held out the prospect of great booty to the captains under my command; and, as to myself, I was satisfied with the idea of making a diversion in favor of the count D'Orvilliers, who was then in the channel.

I now distributed red clothes to my men, and put some of them on board the prizes, so as to give them the appearance of transports full of troops. All the necessary arrangements were also taken to carry the enterprize into execution: but about a quarter of an hour before the descent was to have been made, a sudden tempest arose, and drove me out of the Forth, or Edinburgh Frith, and so violent was the storm that one of my prizes was lost.

This did not, however, deter me notwithstanding the smallness of my forces, from forming different enterprizes of a similar nature: but I could not induce the captains of the Pallas and Vengeance to second my views, I was therefore obliged to con-

tent myself by spreading alarm on the coast, and destroying the shipping, which I did as far as Hull.

On the morning of the 23d of September, while I was cruising in the latitude of Flamborough Head, which I had appointed as a place of rendezvous for my little squadron, and where I hoped to be rejoined by the Alliance and *Le Cerf*, and also to fall in with the Baltic fleet; this convoy accordingly appeared, at a time when I had been abandoned by several of my consorts, had lost two boats, with their crews, who had run away on the coast of Ireland, and when a third, with eighteen men on board, was in chase of a merchantman to the windward, leaving me with a scanty crew, and only a single lieutenant and some inferior officers, on board.

It was about two o'clock in the afternoon that the Baltic fleet appeared in view; I then happened to have the wind of it, and was about two leagues distant from the coast of England. I learned from my prisoners, that the convoy was escorted by the Serapis, a new vessel, that could mount fifty six guns but then carried only forty four, on two decks, the lower battery carrying eighteen-pounders, and the Countess of Scarborough, a new twenty-two gun ship.

We were no sooner descried than the armed vessels stood out to sea, while the trade took refuge under the cannon of Scarborough Castle.

As there was but little wind, I could not come up with the enemy before night. The moon did not rise until eight, and at the close of day the Serapis and Countess of Scarborough tacked and stood in for the fortress. I was lucky enough to discover this manœuvre by means of my night glass, without which I should have remained in ignorance of it. On this I immediately altered my course six points, with a view of cutting off the enemy; which was no sooner perceived by the Pallas, than it was supposed my crew had mutinied, which induced her captain to haul his wind, and stand out to sea while the Alliance lay to, to windward, at a considerable distance; and as the captain of this vessel had never paid any attention whatever to the signal of the Richard since her leaving France, I was obliged to run all risks and enter into action with the Richard only, to prevent the enemy's escape.

I accordingly began the engagement at 7 o'clock at night, within pistol shot of the Serapis, and sustained the brunt of it for nearly a whole hour at that distance, exposed, not only to her fire, but also to that of the Countess of Scarborough, which raked the Richard, by means of the broadsides she fired into her stern.

It ought to be here remarked, that the Richard, properly speaking, was only a thirty-four-gun frigate, carrying only twelve pounders; but six eighteen-pounders had been placed in the gun room, in case of being obliged to recur to a cannonade in an enemy's harbor. The sea being very calm during the engagement, I hoped to be able to derive great advantage from this circumstance; but instead of this they burst at the commencement of the action, and the officers and men posted at this service, and who were selected as the best of the whole crew, where either killed, wounded, or affrighted to such a degree, that none of them were of any service during the rest of the engagement.

In this unfortunate extremity, having to contend with three times my own strength, the Richard being in imminent danger of going to the bottom, and her guns being no longer in a condition to return the enemy's fire, I had recourse to a dangerous ex-

pedient, to grapple with the Serapis, in order, on the one hand, to render her superiority useless, and, on the other, to cover ourselves from the fire of her consort. This manœuvre succeeded most admirably, and I fastened the Serapis, with my own hands, to the Richard. On this, the captain of the Countess of Scarborough, who was a natural son of the duke of Northumberland, conducted himself like a man of sense, and from that moment ceased to fire upon us, well knowing that he must at the same time damage the Serapis.

That vessel being to windward at the moment we had grappled, instantly dropped her anchor, hoping by this to disengage herself from us; but this did not answer her expectations; and the engagement, from that moment, consisted of the discharge of great guns, swivels, musquetry, and grenades.—The English, at first, testified a desire to board the Richard, but they no sooner saw the danger than they desisted. The enemy, however, possessed the advantage of their two batteries, besides the guns on their fore-castle and quarter-deck, while our cannon was either burst or abandoned, except four pieces on the fore-castle, which were also relinquished during some minutes. Mr. Mease, the officer who commanded these guns, had been dangerously wounded on the head, and having at that period, no greater object to occupy my attention, I myself took his post. A few sailors came to my assistance of their own accord, and served the two guns next to the enemy with surprising courage and address. A short time after this, I received sufficient assistance to be able to remove one of the fore-castle guns from the opposite side; but we had not strength sufficient to remove the other, so that we could only bring three guns to bear upon the enemy during the remainder of the action.

The moon, which, as I have already observed, rose at eight, beheld the two vessels surrounded by flame, in consequence of the explosion of the cannon. It so happened at this period, that the main-mast of the Serapis, which was painted yellow, appeared extremely distinct, so as to form an excellent mark, on this, I pointed one of my guns at it, taking care to *ram home* the shot. In the mean time, the two other pieces were admirably served against the—and swept its fore-castle, by means of an oblique fire. The tops also seconded us bravely, by means of musquetry and swivels, and also threw a multitude of grenades so as greatly to annoy the enemy. By these means they were driven from their quarters, notwithstanding their superiority in point of men and artillery.

The captain of the Serapis, after consulting with his officers, resolved to strike; but an unlucky accident, which occurred on board the Richard, prevented this: a bullet having destroyed one of our pumps, the carpenter was seized with a panic, and told the gunner, and another petty officer, that we were sinking. Some one observed at the same time, that both I and the lieutenant were killed; in consequence of which the gunner, considering himself as commanding officer, ran instantly to the quarter deck, in order to haul down the American colors, which he would have actually hauled down, had not the flag staff been carried away at the time the Richard grappled with the Serapis.

The captain, on hearing the gunner express his wishes to surrender, in consequence of his supposing that we were sinking, instantly addressed himself to me, and exclaimed, "Do you ask for quarter?—Do you ask for quarter?" I was so occupied, at this period, in serving the three pieces of cannon on the fore-castle, that I remained totally

ignorant of what had occurred on deck; I replied, however, "I do not dream of surrendering, but I am determined to make you strike!"

The English commander, however, conceived some faint hopes, in consequence of what had been said, that the Richard was actually sinking; but when he perceived that her fire did not diminish, he immediately ordered his men from the fore-castle, where they were too much exposed, and stationed them below, where they kept up such a tremendous discharge against the Richard, that it at once indicated vengeance and despair.

It has already been observed, that when I commenced the action, the Pallas was at a great distance to windward, while the Alliance lay to in the same position. When the captain of the former perceived that the engagement took place, he spoke to his consort; but they lost a great deal of time, and it was not until now, that they came within gun shot of the Countess of Scarborough, and a kind of running fight took place between the latter and the Pallas. The Alliance followed them, and, on passing us, fired a broadside, which, as we were closely engaged with the enemy, did no more harm to them than to us.

The battle still continued with uncommon ardor between us and the enemy, whose—or burned, and her main-mast cut away, by degrees, by our bullets; while the heavier metal of the Serapis drove in one of the sides of my ship, and met with little or no resistance. In short, our helm was rendered useless, and the poop was only supported by an old and shattered piece of timber, which alone prevented it from giving way.

At length, after a short engagement, the Countess of Scarborough surrendered to the Pallas; it was then that the captain of the latter asked the commander of the Alliance, "whether he would take charge of the prize, or sail and give succor to the commodore?" On this, the Alliance began to stand backwards and forwards under her topsails, until, having got to the windward, she came down, and discharged a second broadside against the fore-part of the Serapis, and the hind-part of the Richard. On this I and several other persons begged for God's sake, that they would cease firing, and send a few men on board of us: but he disobeyed, and fired another broadside as he passed along; after which he kept at a most respectful distance, and took great care not to expose himself during the remainder of the action, without receiving a single shot, or having a man wounded during the whole engagement.

The idea that we were sinking had taken such possession of the armourer's mind, that he actually opened the scuttles, and made all the prisoners, to the number of a hundred, sally forth, in opposition to my reiterated orders. This event might have proved fatal had I not taken advantage of their affright to station them at the pumps, where they displayed surprising zeal, appearing actually to forget their captivity; for there was nothing to prevent their going on board the Serapis; or it was in their power to put an end to the engagement in an instant, by either killing me, or throwing me into the sea.

As our three quarter-deck guns continued to play, without interruption, on the enemy, raked her hinder parts, and damaged her mast in such a manner, that it was only supported from falling by the yards of our ship, while the tops poured in a continual discharge, the fire of the English began to deaden in such a manner as to bereave them of all hope of success.

A circumstance, however, occurred that contributed not a little to the victory of the Richard: this was the extraordinary intrepidity and presence of mind of a Scotch sailor, posted in the main-top; this brave fellow, of his own accord, seized a lighted match, and a basket of hand-grenades with which he advanced along the main-yard, until he had arrived exactly above the enemy's deck. As the flames of their parapets and shrouds, added to the light of the moon, enabled him to distinguish objects, the moment he perceived two or three persons assembled together, he instantly discharged a hand grenade among them; he had even address enough to drop several through their scuttles, and one of them set fire to the cartridge of an eighteen pounder belonging to the lower deck, the discharge of which scorched several of the crew.

On this, the captain of the Serapis came upon the quarter-deck, lowered his flag and asked for quarter, at the very moment his main-mast had fallen into the sea. He then came on board with his officers, and presented me with his sword. While this was transacting, eight or ten men belonging to the Richard seized on the Serapis's shallop, which had been at anchor during the engagement, and made off.

(TO BE CONTINUED.)

French Decree.

At the palace of St. Cloud, on the 4th of May, 1812, Napoleon, emperor of the French, king of Italy, &c. &c.

We, having caused an account to be given us of the state of provisions throughout our empire, have satisfied ourselves that the remaining grain forms a mass not only sufficient, but more than necessary to our wants—nevertheless, that general proportion between the consumption and resources can only be established throughout every department of the empire by means of circulation; and this circulation becomes less rapid, when precaution induces the consumer to make anticipated and superabundant purchases—whilst the cultivator comes more slowly to the markets—whilst the merchant defers selling, and the capitalist employs all his funds in purchases, which he warehouses and keeps, in order to enhance the price. These calculations of personal interests—legitimate when they do not put to hazard the subsistence of the people, and give corn a value superior to its real worth, according to the state of the crop throughout all the empire—must be forbidden when they give grain a price fictitious, and out of all proportion to the price to which the article should rise, according to its real worth, joined to the charges of conveyance, and the legitimate profits.

Wherefore, desirous to provide by measures proper to give to circulation all its activity, and to the departments which suffer want, security, upon the report of our minister of manufactures and commerce, and with the advice of our council of state, we have decreed, and do decree as follows:

SECTION I.

Of the circulation of grain and flour.

Art. 1.—The free circulation of grain and flour will be protected in all the departments of our empire—we command all the civil and military authorities to assist it, and all the officers of police and justice to repress all opposition—to denounce, prosecute or cause to be prosecuted, those guilty of it, before our councils and tribunals.

2. Every individual, merchant, commissioner, or other, who shall make purchase of grain or

flour at market, to provision the departments which may require it shall be bound to do it publicly, and after having made a declaration of it to the prefect or sub-prefect.

SECTION II.

Of the supplying the markets.

3. It is forbidden to all our subjects, of whatever class or condition they may be, to make any purchase or provision of grain or flour to keep or warehouse, or make an object of speculation.

4. Consequently all those individuals having grain or flour in store, will be bound, 1st. To declare to the prefects or sub-prefects, the quantities possessed by them, and the places in which they are deposited, 2d. To bring to the halls and markets which shall be pointed out to them by the said prefects or under-prefects, the quantities necessary to keep them sufficiently supplied.

5. Every farmer, cultivator, or proprietor, possessing grain, shall be obliged to make similar declarations, and likewise to equally submit, to insure the provisioning the markets when it shall be required of them.

6. Farmers who have stipulated to pay their rents in kind, shall make a declaration to that effect, and prove it by producing their leases—in this case, upon the quantity they shall be obliged to bring to the markets for their supply a proportionate quota shall be on account of the lessors, and the former will pay them in money, according to the market price.

7. Proprietors who receive the rents of farms in kind, can compel their farmers, inhabiting the said committee, to take such grain to market on receiving a fair remuneration, if they are not bound to do it by their leases.

SECTION III.

8. All grain and flour shall be carried to the markets established for that purpose, and it is forbidden, either to buy or sell them, except in the said markets.

9. The inhabitants and bakers shall alone, for the first hour be allowed to purchase grain for their own consumption. The commissioners and merchants who come to the market after having conformed to the 2d article of the present decree, cannot make purchases until after the first hour.

10. Our ministers are charged with the execution of the present decree, which will only be in force to the first of September next.

It shall be inserted in the bulletin of laws.

(Signed)

NAPOLEON.

Military Notices.

The first prisoner of war, is capt. Wilkinson of the British marines, taken at Norfolk, with the declaration of war in his pocket, from whence he was endeavoring to make his escape.

The revenue cutter at Norfolk has captured a valuable British ship from Jamaica.

The U. S. brig Oneida, on lake Ontario, had seized a British merchantman, suspected of an intention to violate the non-importation law, and sent her into port for examination, where we hope she may be detained until the declaration of war arrives there.

It is a memorable circumstance, that the act of congress declaring war against Great Britain was passed on the anniversary of the battle of Bunker's Hill, which was fought on the 17th of June, 1775.

The regular troops in Canada are said to amount to 10,000—the chief of whom are stationed at Quebec.

appearance of danger, by simultaneous movement, you may unite at some preconcerted place of rendezvous. It would be productive of much advantage if the plan were so comprehensive as to embrace several regiments, which should mutually agree to co-operate without the formality of a legal notice. I have to require of the commandants of regiments, whose residence on the bay and navigable rivers will enable them to do so, to give to this department by express, the earliest information of the approach of danger, that thereby the whole resources of the state, if there be need, may be brought to your relief with the least possible delay.

With sentiments of respect,

I am your fellow-citizen,

JAMES BARBOUR.

N. B. You will distribute the enclosed amongst the majors and captains of your regiment. J. B.

Paul Jones.

(Continued from page 298.)

It was more than eleven o'clock when the battle ended, it had consequently lasted more than four hours. My ship had no more than 322 men, good, bad and indifferent, on board, at the commencement of the engagement; and the sixty of these, posted in the gun-room when the gun burst, having been of no further service during the action, could not be properly considered as forming part of the crew opposed to the *Serapis*, which had received a supply of English sailors while in Denmark; and it appeared, indeed, by the muster roll, that there were upwards of 400 on board of her, when the first gun was fired. Her superiority was still more considerable in respect to guns, without mentioning her greater weight in metal, which surpassed ours beyond all comparison. Thus, setting aside the damage done by the *Countess of Scarborough*, during the forepart of the action, and also by the three broadsides from the *Alliance*, it will be easy to form a due judgment of the combat between the *Richard* and the *Serapis*, and set a proper value on a victory obtained over a force so greatly superior, after such a long, bloody and close engagement.

The *Vengeance*, a corvette, mounting twelve three pounders, and the boat belonging to the pilot, with my second lieutenant, another officer, and ten men, would have been of singular service, either in pursuing and capturing the convoy, or by reinforcing me: but, strange as it may appear, the fact is, that they remained all this time mere spectators of the action, in which they took no interest, keeping themselves to windward, and out of all danger; while, on the other hand, the conduct of the *Alliance* had, at least, the appearance of proceeding from a principle worse than ignorance or insubordination.

It must appear clear, from what has been already said, that if the enemy's ports were not annoyed, the Baltic fleet taken, and the eight Indiamen seized, the blame did not lie with me.

It is but justice, however, to observe, that some of my officers conducted themselves admirably during the action. The lieutenant, Mr. Dale, being left alone at the guns below, and finding he could not rally his men, came upon the deck, and superintended the working of the pumps, notwithstanding he had been wounded. Notwithstanding all his efforts, the hold was more than half full of water when the enemy surrendered.

During the last three hours of the action both the vessels were on fire; by throwing water on the flames, it was sometimes supposed that they were

quenched, but they always broke forth anew, and, on the close of the action, we imagined it wholly extinguished. It was very calm during the remainder of the night; but, when the wind began to blow, our danger became imminent, the fire having penetrated the timbers, and spread until it had reached within a few inches of the powder-magazine. On this the ammunition was brought on the deck, to be thrown in the sea, in case of extremity; but we, at length, succeeded in our endeavors, by cutting away a few planks, and employing our buckets.

Next morning the weather was hazy and not a sail to be seen. We then examined the *Richard* to see if it were possible to carry her into any port.—This proving wholly impracticable, all the boats were employed in carrying the wounded on board the other vessels. This occupied much of our time and on the succeeding day, notwithstanding all our pumps had been at work, the hold was entirely full of water, and the vessel soon after sunk. On this occasion I could only save the signal flags, and I lost all my property, amounting to more than 5,000 livres.

On this I instantly assumed the command of the *Serapis*, on which we erected *jury masts*; but the sea was so tempestuous that it was ten days before we reached the *Texel*.

No sooner was my arrival known than forty-two vessels, forming different squadrons of frigates, were fitted out from the various ports in Great Britain against me, and two of these were stationed during three months at the mouths of the *Texel* and the *Fly*. My situation in Holland influenced not a little the conduct of the belligerent powers, at the same time that it excited the attention of all Europe. The English minister at the Hague addressed different memorials to the states general, in all which he insisted that the *Serapis* and the *Countess of Scarborough* "should be delivered up to the king, his master;" and he, at the same time, claimed me under the appellation of "the Scotch pirate."

Instead of listening to these propositions, the states general permitted me to land my wounded on the island of the *Texel*, which was delivered up to me for that purpose; on this the British government became furious, and Holland was reduced to so critical a situation, that the states were under the necessity of insisting that I should either leave the *Texel*, or produce a commission from his most christian majesty, and hoist the French flag.

The prince of Orange, who was attached to the English interest, sent the vice-admiral Rhynst, who was also English in his heart, to assume the command of the Dutch squadron in the *Texel*, composed of thirteen two-deckers. This officer drew up his squadron, during six weeks, in such a manner as to menace us; and, in short, did every thing in his power to render my situation both dangerous and disagreeable.

In the mean time I had an interview with the duke de la Vanguyon, at Amsterdam, who intimated to me, that it was the intention of the king of France that I should hoist his flag during my stay in the *Texel*, as he imagined, that my prizes would assuredly fall into the enemy's hands if I tried to escape.—I, however, refused this honor, as I had declared myself an American officer, and had given a copy of my commission from congress to the Dutch admiral. It was contrived, however, at length, that I should go on board the frigate *Alliance*, the captain of which had been sent to Paris, to give an account of his conduct, and where I should still carry my former colors, while the prizes should hoist the French flag.

At length the wind becoming favorable, on the 27th of February, 1779, the Alliance set sail, after having lost all her anchors, one only excepted, in consequence of admiral Rhynst's instructions to the pilot; and it was at least an hundred to one, that we should fall in with the enemy. I, however, had the good fortune to escape, although the Alliance passed the straits of Dover, within sight of the English squadron in the Downs. After getting clear of the channel, I soon reached the latitude of Cape Finistere, and entered the port of Corunna, January 16, 1780.

On my return to France, I found that the French commissary had made a private sale of my prizes to the king without consulting me. On this I repaired to Versailles, along with Dr. Franklin, but was received with great coolness by the minister of the marine. On this account I declined asking him to present me to his majesty. This honor was conferred on me next day by the prince de Beauveau, captain of the guards. The public received me at the opera, and all the public places where I appeared, with the most lively enthusiasm; this added to the very favorable reception I received from his majesty, afforded me singular satisfaction: and the minister of the marine from that moment paid me the most marked attention. *(To be concluded in our next.)*

Military Notices.

Brig. general *Peter Gansewort*, of the United States army, the "hero of fort Schuyler," has died at Albany, after a very distressing illness, aged 62 years, 11 months and 16 days.

John Armstrong, esq. of Pennsylvania (late minister to France) and *Thomas Flounroy*, esq. of Georgia, have been appointed brigadier-generals in the armies of the United States.

Col. *Thomas Cushing*, of the army of the United States, is appointed adjutant-general in the army of the United States.

Col. *Alexander Smyth*, of the army of the United States, is appointed inspector-general of the army of the United States.

Samuel Carswell, esq. of Philadelphia, is appointed commissary-general of the United States.

A meeting of a considerable number of citizens, above the age of 45 years, was held at Philadelphia on the 1st instant, Charles Biddle, esq. chairman, and George A. Baker, esq. secretary, at which it was patriotically resolved to form a military association, of persons exempted from the performance of militia duty, to aid the civil authority, and defend the said city with its liberties, from hostile attack, during the absence of the younger citizens.

At Wilmington (Del.) immediately on the receipt of the declaration of war, the old officers of the late continental army residing in that borough and its vicinity, assembled, with others, and associated for the particular defence of the place, "from invasion when the young and active may be called into distant service." The subscription paper for this purpose is headed by colonel *McLane*, major *Jaquett*, captain *Roche* and captain *Kirkpatrick*, of the old continental line, and Drs. *Tilton*, *Munroe* and *Smith* of the old staff—a venerable and honorable commencement.

A letter from *Kentucky* to the editor says—"our state required no draft-men—our quota is made up of men that know how to use their arms. The recruiting for regulars goes on equally well. We are ready and willing to check and bring to submission the savage foe, and prepared to aid our Atlantic brethren, if their need may require it."

The British vessel, mentioned in our last to have been detained by the United States brig *Oneida*, was unfortunately released about 12 hours before the news of war reached Sackett's harbor, where she was sent for "adjudication." Lieutenant Woolsey, however, on receiving the interesting intelligence, left the port for the express purpose of trying his strength and the courage of his sailors with the *Royal George*, a ship of 22 guns; but considering the superior weight of metal of the *Oneida* not to be considered as a much more powerful vessel. Lieutenant Woolsey has also the command of two gun-boats on the lake. The British, besides the *Royal George*, have the earl of Moira of 12 guns and two armed schooners—they are also building a schooner and six gun boats at Little York. We have 12 merchantmen on the lake, well calculated to carry guns, preparation for which appears to have been made in anticipation of war.

The people of South Carolina, mindful of the sufferings of that state in the revolutionary war, with a spirit and promptitude worthy the cause, are preparing to defend themselves and avenge the wrongs of their country.

The declaration of war reached maj. gen. Pinckney at Savannah, by express, on the 25th ult. at that time engaged in inspecting the fortifications for the defence of the place. The news was immediately sent to St. Mary's.

Extract of a letter from Savannah dated 20th June. "An express left this place last Thursday for St. Mary's with the news of the Declaration of War: the gun boats there took immediate possession of seven English armed ships and five Spanish ships. No doubt they will be removed up St. Mary's river for safety."

An express that carried the news of war from Albany to the British in Canada, was apprehended and lodged in jail near Geneva. He implicated several persons in Albany, who were seized, but released as they appeared to be concerned only in mercantile transactions; yet by this harmless procedure the British had the news one day earlier than our garrison.

The 116th regiment of Virginia militia, commanded by colonel Koontz, furnished its quota of the 100,000 men, with hardy volunteers. A fine troop of horse, in the same neighborhood, have offered their services to the president of the United States as part of the 50,000. But one sentiment prevails among the gallant citizens of that part of the state sometimes called new Virginia, which is inhabited by as fine a race of men as ever lived.

On the 29th ult. upwards of 400 cavalry, artillery and infantry, passed through Philadelphia, northward, and on the 1st instant 300 recruits of the 13th regiment left New-York, with the same destination.

Part of the militia of New-Hampshire have been marched to the sea-board.

There is reason to believe that New-Hampshire will furnish her quota of the 100,000 militia entirely of volunteers.

Congress have passed a law to build a new Boston, New-York and General Greene, to replace the frigates condemned as un-seaworthy; and also a new Philadelphia, to replace the one burnt at Tripoli. All the other vessels will be in service in a very short time.

Commodore Rodgers.—From a great variety of reports we collect the following as probable facts. Immediately on receiving the news of the declaration of war com. Rodgers proceeded on a cruise, having under his command the frigates *President*, *United States* and *Congress*, with the ship of war

The executive power was weakened by a distribution of it into a number of hands, in an assembly too numerous to possess unity of design or promptitude of action; and yet, at the same time, too limited and narrow in its constitution to be considered as the representative body of the Spanish nation. The central junta were neither just representatives either of the crown, or the aristocracy, or the people; they neither possessed the properties of an executive council, nor of a deliberative assembly.—It was principally in this body, and among the officers under its employment, that an animosity was perceived against the British government. Very different from this was the general wish of the people. At some moments of danger and alarm, the junta seemed to be impressed with a conviction that it was their duty to choose a regency, to assemble the cortes, redress grievances and remedy abuses. The question of a regency was discussed in the junta again and again, but the discussions on this subject ended always in an adjournment: the meeting of the cortes was put off to a distant period; the crying abuses in the administration of justice, the collection of the revenue in all the principal branches of the government, were continued.—In short, the supreme junta thought of nothing so much as how to preserve their own power to the last extremity.

The marquis of Wellesley, in a conversation with Don Garay, held at the desire of this statesman, recommended the appointment of a regency, the speedy convocation of the cortes, and that the act of the junta for appointing a regency and convoking the cortes, should provide for the correction of abuses, and the suppression of arbitrary exactions in both Spain and the Indies: and also that the same act should declare the general principles on which concessions were to be made by the colonies for securing to them a share in the representation of the Spanish empire; and, above all, that the first care of the regency should be to reform the whole military system of Spain.

Upon the whole, he was of opinion that, in all events, even the very worst to be apprehended was, that the disposition and character of the Spanish nation would prolong the difficulties that the French had met with from their first attempt to subdue that country. The grand obstacle to the deliverance of Spain was, beyond all doubt, the state of its own government; but still, even if the faulty state of government, so favorable to the success of the French arms, should be continued, a long interval of time must elapse before a French government could be established in Spain, during which interval, events would happen and circumstances occur, which might be improved for the advancement of the British interests, both in Spain and her colonies.*

NOTE. In the brief account of the second siege of Gerona, contained in this chapter, (p. 206 *ante*) we omitted to state that the city was governed by camp-marshal D. Mariano Alvarez, an officer eminently worthy of the critical situation in which he was placed. We should also have mentioned the conduct of marshal Augereau with some commendation. Gerona was not made the scene of such brutal acts of outrage and cruelty as were displayed at Zaragoza. Nor was there any of that individual animosity which characterized the street-fighting in that city. When the citizens were almost worn down by fatigue and famine, the out-centries fre-

quently made a truce with each other, and drew near enough to converse: the French soldiers would then give his half-starved enemy a draught from his leathern bottle—and when they had drank and talked together, they returned to their posts, scoffed at each other, proceeded from mockery to insult, and often closed the scene with a skirmish. The only disgraceful circumstance which occurred during the whole siege was the desertion of ten officers in a body, two of whom were men of noble birth; they had been plotting to make the governor capitulate, and finding their intentions frustrated, went over to the enemy in open day. Except in this instance, the number of desertions was very small: though during the greater part of the seven months siege, the rain had collected into stagnant pools, and the pestilential vapours which arose were rendered more noxious by the dead bodies which lay rotting amid the ruins. During all this time scarcely a woman had become pregnant: the very dogs, before hunger had consumed them, ceased to follow after kind, they did not even fawn upon their masters; the almost incessant thunder of artillery seemed to make them sensible of the state of the city, and the unnatural atmosphere affected them as well as human kind. It even affected vegetation. In the gardens within the walls the fruits withered, and scarcely any vegetable could be raised. See the affecting account of the siege published by *Samaniego*.

Paul Jones.

(Concluded from page 318.)

The count de Maurepas about the time intimated to me, that his majesty had resolved to confer some distinguished mark of his bounty and personal esteem on me; this proved to be a sword, mounted with gold, on which was engraven the following flattering motto:

VINDICATI MARIS
LUDOVICUS XVI. REMUNERATOR
STRENUO VINDICI.

The hilt was of gold, and the blade, &c. were emblazoned with his majesty's arms, the attributes of war, and an emblematical representation of the alliance between France and America. The most christian king, at the same time, transmitted a most admirable letter to congress, in which he offered to decorate me with the order of military merit. All this was extremely flattering, as Louis XVI. had never presented a sword to any other officer, and never conferred the cross, except on such officers as were invested with his majesty's commission.

The minister of the marine, a short time after this, lent me the Ariel, a king's ship, carrying twenty guns, with which I sailed, October 8th, 1780, for America. The wind was at first favorable, but I was soon after in danger of foundering on the Penmarks—and escaped only by cutting away my main and mizen masts. As soon as the storm abated, we erected jury masts, and returned to refit; in short it was the 18th of December before I could proceed for Philadelphia.

During the voyage, I fell in with an English twenty gun ship, called the Triumph, and partly by stratagem, and partly by hard fighting, forced her to strike her flag; but, while we were about to take possession of her, the captain, taking advantage of her superior sailing, made off and escaped.

On my arrival in America, the congress, on the representation of the Chevalier de la Luzerne, passed a law to enable me accept the military order of

*Despatch from the marquis of Wellesley to Mr. Secretary Canning, Seville, 15th September, 1809. Included in the correspondence relative to Spain and Portugal, laid before parliament.

France. The French minister, on this occasion, gave an entertainment, to which all the members of congress, and the principal inhabitants of Philadelphia, were invited; after which I was invested, in their presence, with the decorations of the order.

As the three ministers plenipotentiary from America had unfortunately disagreed, it necessarily follows that there would be some contradiction in respect to their reports concerning me. In consequence of this, the congress enjoined the admiralty to enquire into the nature of my connection with the court of France, and the reasons which had induced me to remain in Europe, and delay the convoy of the military stores appertaining to the United States. In consequence of the examination that ensued, and the report that was delivered in, the congress passed an act, dated April 14, 1781, in which I was thanked, in the most flattering manner, "for the zeal, the prudence, and the intrepidity, with which I had sustained the honor of the American flag; for my bold and successful enterprizes, with a view to redeem from captivity the citizens of America, who had fallen into the power of the English, and for the eminent services by which I had added lustre to my own character and the arms of America." A committee of congress was also of opinion "that I deserved a gold medal in remembrance of my services."

On the 21st of June, 1781, I was appointed, by an unanimous vote of congress, to the command of the America, a seventy-four-gun ship, then building; and on the birth of the Dauphin, I, at my own expense, celebrated that happy event by royal salutes during the day, and a brilliant illumination in the evening, accompanied by fire works.

An unfortunate accident, soon after this, deprived me of the command of that fine vessel: for the *Magnifique* of 74 guns, belonging to the Marquis de Vaudreuil's fleet, happening to be lost at Boston, the congress seized on this occasion to testify its gratitude to his most christian majesty, by presenting him with the America to re-place her.

In the mean time, it was resolved to place a French frigate, called *l'Indienne*, with two or three armed vessels, under my orders, in order to seize on Bermudas: but, as this was never put into execution, I applied to congress for leave to serve on board the fleet of the Count d'Estaing, then destined for an expedition against Jamaica.

The Marquis de Vaudreuil received me with great distinction on board his own ship, the *Triumphant*, where I occupied the same cabin as the baron de Viomenil, who commanded the land forces.—When we were within sight of Porto Rico, intelligence was received that admirals Pigot and Hood were preparing to intercept us; and as Don Solano, with the Spanish fleet, did not meet us at Porto Cabello, according to his promise, many of the officers becoming disgusted with the enterprize, fell sick, and I myself was in a dangerous state; but we were relieved from our disagreeable situation, by intelligence from Europe that a general peace had taken place. This circumstance afforded me great pleasure, as I now learned, that Great Britain, after a long and bloody contest, had been forced to recognize the sovereignty and independence of the United States of America.

On this, we repaired to St. Domingo, where I received every possible mark of esteem from Mr. de Bellecombe, the governor; after a short stay, I embarked for Philadelphia, penetrated with gratitude for the various marks of esteem I had received from all the French officers during the five months I had been on board his majesty's squadron.

I was unable to re-establish my health, during the rest of the summer, which I spent in Pennsylvania; and I did not get well until the autumn, when I recovered by means of the cold bath.

I then demanded permission to return to Europe, on purpose to recover the prize money due to myself, officers and sailors, which was granted me by an act of congress, dated at Prince-Town, November 1, 1783.

On this I embarked at Philadelphia, on board a packet boat destined for Havre de-Grace; but being forced into Plymouth by contrary winds, I took post horses for London, and then set out for Paris, and was received with great cordiality by the ministry.

Having at length received from the court of France the amount of the prizes, I returned to America on board a French packet boat.

We are at War.

It cannot be too frequently urged that war has been declared, and *actually exists*, between the United States and Great Britain. "This event (says De Witt Clinton, esq. mayor of New York, in an admirable address to the grand jury) imposes new obligations on our citizens, the observance of which it becomes the duty of our courts and magistrates to enforce. The former freedom of communication and intercourse with a nation in amity with us is now abridged; and acts heretofore not only lawful but commendable, may now expose the agent to the charge of *treason, misprison of treason* or a *high misdemeanor*: "Treason against the United States," says the constitution, "shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort." Treason against this state is committed in levying war against the people of this state, within this state, or by being adherent to the enemies of the people of this state, giving to them aid and comfort in this state or elsewhere. Misprison of treason is the concealment or keeping secret any treason."

As it is morally impossible for every man, in a moment, to cease his old habits without the agency of some cause that *immediately* touches him, it is not to be wondered that many still express great partiality and regard for the *enemy*, and commit treason in their hearts; so long have they been accustomed to look up to Great Britain as the source of their profits, like a modern *Tyre*. The war will have a powerful effect in weaning the people of the United States from what some yet regard the *mother country*; though by their oppressions which brought about the revolution, and the long train of abuses and depredations since, all claim to that tender appellation was abolished. It will teach our citizens a most important truth, which in the hurry and bustle of *commerce* too many did not recollect, *that they have a country*; and cause them to look to themselves, instead of extending their views across the Atlantic, for sources of happiness. So intimately have the interests of a considerable portion of the trading class of society on the sea board been connected with those of the British merchant, that a measure adopted for the supply of our wants without a *foreign* agency, was repressed as extremely injurious, though it might give employ and profit to many of their immediate neighbors! And, as all are inclined to believe what they wish, it is very possible that some honest men (not having viewed the matter as they ought) verily believed it was best that the United States should receive even their "hob-nails" from England, be-